

## CLASSIFICATION OFFICE DECISION

**Title of publication:** 4FFB222437E71847

**Other known title(s):** Not stated

**OFLC ref:** 2000036.003

**Medium:** Image File

**Publisher:** Not stated

**Country of origin:** Not stated

**Language:** Not applicable

**Applicant:** Commissioner of Police

**Classification:** Objectionable.

**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 06 April 2020

**Date of direction to issue a label:** No direction to issue a label has been issued

**Date of notice of decision:** 06 April 2020

### Summary of reasons for decision:

The image file explicitly depicts a man performing a sexual act on a girl. It is deemed to be objectionable because it promotes and supports the exploitation of children or young persons for sexual purposes and the use of urine in association with sexual conduct. The image is clearly intended to for the arousal of those with a sexual interest in children or young persons and presents them as available and appropriate subjects for adult sexual gratification. It is also intended to be titillating to those with an interest in the use of urine in a sexual context. The availability of such material encourages the creation or reinforcement of these sexual interests. The objectionable classification given to this image file interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications which promote and support conduct under s3(2) of the Films, Videos, and Publications Classification Act 1993 be deemed objectionable. It also reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.